



**WORK SESSION OF THE GREENBELT CITY COUNCIL held Monday, March 7, 2005, for the purpose of meeting with board members of the New Deal Café. Council also met with the proprietor of the Pleasant Touch regarding permit concerns she had with the City.**

Mayor Davis called the meeting to order at about 8:05 p.m. in the Council Room of the Municipal Building.

PRESENT WERE: Councilmembers Konrad E. Herling, Leta M. Mach, Edward V. J. Putens, Rodney M. Roberts, and Mayor Judith F. Davis.

STAFF PRESENT WERE: Michael P. McLaughlin, City Manager; Joe McNeal, Assistant Director, Recreation; Di Quynn-Reno, Community Center Supervisor; and Kathleen Gallagher, City Clerk.

ALSO PRESENT WERE: Richard McMullin, president, and board members Brett Fishburne and Peter May, New Deal Café. Gwen Vaccaro, owner of Pleasant Touch, was also present for part of the meeting.

**New Deal Café**

Following introductions, Mr. McMullin reported the Café had seen a significant downturn in business over the last two months. He said they had not been able to identify any specific cause, but the result was that various plans, including salary increases, had been put on hold. He said that overall, however, they had seen improvement and success in a number of areas, including greater staff stability and initiative. In response to a later question from Mr. Herling, he said the recent downturn was about 24%.

Mayor Davis asked if the concerts increase the Café's business or whether people who come for the music are mostly there just for the music. Mr. McMullin said they definitely do increase business, but the amount can range from \$200-\$300 to \$700-\$800, depending on the type of music and audience, as well as the weather. He added that other businesses in the Center also benefit.

In response to a question from Ms. Mach, Mr. McMullin said one success was the replacement of the espresso machine. They have also improved their equipment for art display. They have started to add ventilation in the kitchen but found they needed a booster fan; this work is not yet finished. The WiFi is also successful and brings people in. Mr. McMullin said the City should consider adding some WiFi hot points. They have also increased salaries. Mr. Fishburne cited a new counter and floor improvements as enhancements that are planned. He said they have a new stage, and the Friends of New Deal Café Arts (FONDCA) provided a new sound system.

Mayor Davis asked if acquiring the beer and wine license has had much impact. Mr. McMullin said it had helped, but this, too, depends on the type of music and type of audience.

Mayor Davis asked if they had a full board now. Mr. May responded that the board had been fairly stable for the last couple of years and that they have recently found a new accountant.

The Mayor asked what role FONDCA plays. Mr. McMullin responded that FONDCA does not raise funds for the Café; rather, they pay the going rates for events, in terms of food, staff, etc. He said FONDCA has branched out to have connections with other organizations. He said FONDCA is distinct from the volunteer cooperative board, which is responsible for the Café. The Mayor said it was not always clear to an outsider which group did what. Mr. McNeal said it sometimes takes four to six weeks to get documents signed by the board and that an addendum to the current contract is pending now. The three board member agreed they could sign that tonight. Mr. Putens stressed the need to have clear lines of contact so that such matters can be taken care of promptly.

Regarding problems with the Café's use of the Community Center kitchen, Ms. Quynn-Reno said the ovens had been left on overnight, once until noon, since no one else had used the kitchen. She said gas burners had also been left on. She said she had a meeting with Bill Phelan and Ellen Siegel and that there had been no problems since. Mr. McMullin said they hope that problem is solved. He said it was a mistake and they had taken measures to correct it. He said he hoped the City could move beyond it soon. Mr. Fishburne added that they had accepted responsibility for it and were committed to seeing that it did not happen again.

Regarding the Café's debt to the City, Mr. McNeal said since they now pay the \$250/month rate, they are neither reducing nor adding to the outstanding debt of \$14,000.

Mr. McNeal also noted that the kitchen would be closed for eight to ten weeks when the window replacement project is underway. He said the estimated closing date is April 25.

Mr. McMullin said they still owe money to the Co-op. They are paying their federal payroll taxes, and their sales tax and state unemployment taxes have been paid. Regarding the possibility of setting up a payment schedule with the City, Mr. Fishburne said that the City would probably be better served right now if the Café does not drain its resources by increasing its monthly payments but rather continues to increase its income and make improvements that will better allow for paying the debt somewhat later. Mr. Putens stated his agreement with that approach. He expressed interest in knowing whether other merchants in the Center had seen a downturn comparable to the Café's.

Regarding complaints about the noise level of concerts, Mr. McMullin said they have not been given any information in writing about this. They said they would welcome having a City code enforcement officer come out to check the noise levels, in order both that hard data would be available and also so that actual problems could be corrected. After some further discussion, Mr. McLaughlin said the City would, as a courtesy, send copies of FONDCA permits to the board president at the Café address in the future.

The Mayor and other Councilmembers thanked the New Deal board for coming.

#### Pleasant Touch

Gwen Vaccaro presented some problems she was having with the City relative to the renovation of the space over the Beijing for the relocation of the Pleasant Touch. She said she had gotten permission from the building owner, Mr. Christacos, to place her HVAC unit on the theater roof but had then learned that it was common area under the condominium scheme and thus required the City's permission. She said the City had said no because the unit would have to be anchored and any roof penetration would eventually result in leaks. She said the other alternative is to put it on the roof above the space she would be leasing, but that would cost her an additional \$10,000. She said the City suggested running the ducts from the roof to the side, in the same place they would be located if the unit were placed on the theater roof, but her contractor said that exposure would lower the efficiency of the equipment. Ms. Vaccaro also said her contractor thought the unit could be put on the roof without being anchored if he attached it to 6 x 6's covered with roofing material. She said she had been told to stop work three weeks ago, but Mr. Christacos says he has no idea why the City thinks it has a say about the roof. She said she had proceeded in good faith on the basis of a verbal okay from Jim Sterling, Assistant Director, Community Development, who did not realize the problem.

Mr. McLaughlin said the City Solicitor had confirmed that the theater roof was part of the condominium. He said it appeared that something would have to be anchored to the roof – if not the unit, whatever it was attached to. Mr. Roberts asked if it could be anchored to the wall, but Mr. McLaughlin replied that, with the windows, there was not much wall space available. Mr. Roberts commented that if the City would be anchoring HVAC there eventually, he did not see why a different standard should apply to Ms. Vaccaro. Ms. Vaccaro remarked that the roof is already leaking and no one will fix it.

Ms. Vaccaro cited another problem with a pending permit for a chair glide, which is essential to her business. Mr. McLaughlin said he would look into it.

The Mayor said the whole situation now appeared more complicated than when she had first been informed of it last Friday. Ms. Mach concurred, saying she was concerned about advance verbal permission being given and then revoked, and she was also concerned that the City might do the same thing it said Pleasant Touch could not do. Council agreed that the City should do whatever is necessary to assist Ms. Vaccaro in resolving the HVAC and chair glide permit problems.

Following brief informational announcements, the meeting was adjourned at 10:55 p.m.

Respectfully submitted,

Kathleen Gallagher

City Clerk